



In the United States Patent and Trademark Office

Applicants:	Mark E. Foster et al.	Docket No.:	20238
Serial No.:	10/729,408	Group:	
Confirmation No:	Unknown	Examiner:	
Filed:	December 5, 2003		
For:	Venting Catheter		

Information Disclosure Statement Pursuant to 37 C.F.R. 1.97(b) Before First Office Action or Within Three Months of Filing Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. 1.56 and in accordance with 37 C.F.R. 1.97 et seq., Applicants, through and by their attorneys, hereby wish to direct the Examiner's attention to the documents listed on the modified PTO 1449 Form. A copy of each non-U.S. patent document listed on the form is also presented herewith for the Examiner's review and convenience. Cited U.S. patents and U.S. patent application publications are not included in accordance with the U.S. Patent Office waiver of the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003.

Applicants also wish to bring the following commonly-assigned pending patent applications to the attention of the Examiner:

U.S. Patent Application Serial No. 10/306,999 filed November 30, 2002, by Thomas G. Triebes et al. for "Catheter With Unitary Component ."

U.S. Patent Application Serial No. 10/306,992 filed November 30, 2002, by Thomas G. Triebes et al. for "Process For Securing a Tip Member to a Catheter During Production of the Tip Member."

U.S. Patent Application Serial No. 10/306,994 filed November 30, 2002, by Thomas G. Triebes et al. for "Process for Producing Unitary Component and a Catheter Having a Unitary Component ."

U.S. Patent Application Serial No. 10/306,993 filed November 30, 2002, by Donald J. McMichael et al. for "Gastric Balloon Catheter With Improved Balloon Orientation."

U.S. Patent Application Serial No. 10/307,057 filed November 30, 2002, by William W. Letson et al. for "Catheter Having a Balloon Member Invertedly Attached Thereto."

U.S. Patent Application Serial No. 10/639,057 filed August 11, 2003, by Donald J. McMichael for "Catheter Having a Balloon Member Recessedly Attached Thereto."

U.S. Patent Application Serial No. 10/159,514 filed May 31, 2002, by Donald J. McMichael et al. for "Low Profile Transpyloric Jejunostomy System."

These applications are not listed on the accompanying PTO Form 1449, however, copies are provided herewith.

By inclusion of any given document in this Information Disclosure Statement, Applicants in no way admit that such document is effective as prior art against the above-identified application under either 35 U.S.C. 102 or 35 U.S.C. 103.

Additionally, submission of any document is not to be taken as an admission of the materiality of the document to the prosecution of the present application.

The Examiner is requested to review each cited document and personally determine its prior art status.

Applicants recommend that the Examiner conduct an independent search for any and all available material prior art and independently review the results of such search and the documents cited within this Statement.

Applicants request the Examiner, in accordance with 37 C.F.R. 1.97, to indicate and make of record receipt and review of all of these documents by initialing the appropriate box in the accompanying PTO-1449. Applicants request that the undersigned receive a copy of the initialed PTO-1449.

If the Examiner refuses to consider any or all of the herein submitted materials because it is the Examiner's opinion that this Information Disclosure Statement is not in compliance with 37 C.F.R. 1.97, Applicants respectfully request that the Examiner notify the undersigned, in writing, as to the basis of such opinion.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: (770) 587-7183.

Respectfully submitted,

MARK E. FOSTER ET AL.

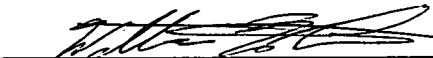
By: 

William W. Letson

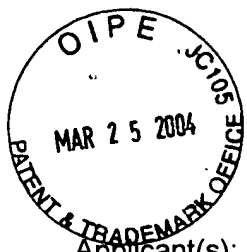
Registration No.: 42,797

CERTIFICATE OF MAILING

I, William W. Letson, hereby certify that on March 22, 2004 this document is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 

William W. Letson



List of Patents and Publications for Information Disclosure Statement

Applicant(s): Mark E. Foster et al.
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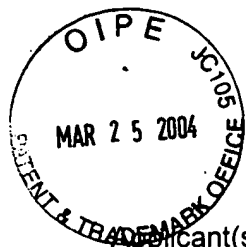
U.S. PATENT DOCUMENTS							
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	A1	Re.31,855	3/26/1985	Osborne			
	A2	D308,576	6/12/1990	Iversen			
	A3	D350,393	9/6/1994	Potter			
	A4	D360,030	7/4/1995	Michels et al.			
	A5	D418,220	12/28/1999	Picha et al.			
	A6	3,459,189	8/5/1969	Alley et al.			
	A7	3,653,388	4/4/1972	Tenckhoff			
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List of Patents and Publications for Information Disclosure Statement

Applicant(s): Mark E. Foster et al. Docket 20238
 Serial No.: 10/729,408 Group:
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A38	4,850,953	7/25/1989	Haber et al.			
A39	4,863,426	9/5/1989	Ferragamo et al.			
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A41	4,867,745	9/19/1989	Patel			
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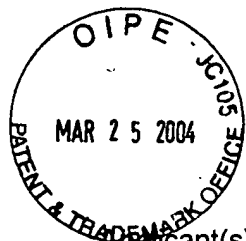


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A77	5,439,444	8/8/1995	Andersen et al.			
A78	5,458,583	10/17/1995	McNeely et al.			
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A112	6,136,258	10/24/2000	Wang et al.			
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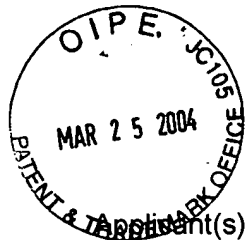
	A116	6,264,631	7/24/2001	Willis et al.			
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	A1	628292	10/3/1961	CA			
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	A6	0409436B1	12/21/1994	EP			
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	A10	676943	6/20/1929	FR			X
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	A17	WO 00/40289	7/13/2000	WO-PCT			
	A18	WO 01/26723 A2	4/19/2001	WO-PCT			
	A19	WO 01/60313 A1	8/23/2001	WO-PCT			
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	A21	WO 02/087492 A1	11/7/2002	WO-PCT			
	A22	WO 03/24362 A1	3/27/2003	WO-PCT			
	A23	WO 03/032892 A2	4/24/2003	WO-PCT			
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Other Documents

Initials	Author, Title, Date, Pages, etc.
A1	Patent Abstracts of Japan, Publication No. 03277374 A, 12/9/1991.
A2	Patent Abstracts of Japan, Publication No. 08215303 A, 8/27/1996.



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Applicant(s): Mark E. Foster et al. Docket: 20238
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A3	Foutch, P.G. et al., "The Gastrostomy Button: A Prospective Assessment of Safety, Success, and Spectrum of Use," <u>Gastrointestinal Endoscopy</u> , Vol. 35, No. 1, 1989, pp. 41-44.
A4	Gauderer, M.W.L. et al., "The Gastrostomy "Button"-A Simple, Skin-Level, Nonrefluxing Device for Long-Term Enteral Feedings," <u>Journal of Pediatric Surgery</u> , Vol. 19, No. 6, December 1984, pp. 803-805.
A5	Huth, M.M. et al., "The Gastrostomy Feeding Button™," <u>Pediatric Nursing</u> , Vol. 13, No. 4, July-August 1987, pp. 241-245.
A6	Gauderer, M.W.L. et al., "Feeding Gastrostomy Button: Experience and Recommendations," <u>Journal of Pediatric Surgery</u> , Vol. 23, No. 1, January 1988, pp. 24-28.
A7	Fuller, N.A., "The Gastro-port: An Alternative to the Button," <u>Journal of Enterostomal Therapy</u> , Vol. 18, No. 1, January-February 1991, pp. 39-40.
A8	Reynolds, E. et al., "Alternatives in Gastrostomy Management: The Button," <u>Journal of Enterostomal Therapy</u> , Vol. 16, No. 3, May-June 1989, pp. 134-136.
A9	Product Brochure, MIC-"KEY" Skin Level Gastrostomy Feeding Ki., Medical Innovations Corporation, Milpitas, CA., 5 pages, 1991.
A10	Product Brochure, Triple-Port Gastrostomy Catheters, ENtech. Inc., Enteral Technology, Lebanon, NJ, 5 pages.
A11	Product Brochure, THE BUTTON™ Replacement Gastrostomy Device, BARD, 3 pages.
A12	Product Page, NBS NARCO Bio-Systems, Houston, TX, "A New Motility Measurement System", 1 page.
A13	"PEG Percutaneous Endoscopic Gastrostomy", Brochure, Create Medic Co., Ltd., 1 page.
A14	"Replacement Catheter", Japanese Brochure, 1 page.
A15	Product Page, Moss Tubes, Inc., W. Sand Lake, N.Y., The MOSS® G-TUBE PEG KIT Has It All, 1 page.

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with your next communication.

Examiner:

Date Considered: